

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION

UNITED STATES OF AMERICA,	§	
	§	
	§	
v.	§	No. 1:21-CR-00216-RP
	§	
(3) TIFFANY FULLERTON,	§	
<i>Defendant</i>	§	

**ORDER**

Before the Court is Defendant's Agreed Motion to Withdraw as Counsel and for Appointment of New Counsel, Dkt. 95. The District Court referred the motion to the undersigned for disposition, Dkt. 96, and, after setting and hearing the motion, the Court will grant the requested relief, for the reasons stated below.

At the outset of the case, the Court appointed John de la Vina to represent Defendant. Dkt. 63. The motion states that Defendant has since "lost faith and all confidence" in her appointed counsel and that she and her attorney are "no longer able to communicate effectively." *Id.*, at 1. The motion further states that Defendant "has grown to believe that counsel lacks the ability and desire to defend her" and that for all of these reasons, their attorney-client relationship is no longer functional. *Id.*, at 1-2. Defendant confirmed these sentiments in her response, Dkt. 99, and at the hearing on the motion. Counsel for the United States does not oppose the motion. Dkt. 95, at 3.

The Court will permit the withdrawal of Mr. de la Vina and appoint new counsel. The Court, however, cautions Defendant, as the Court did at the hearing on the motion, that future requests for counsel will not be well-taken.

IT IS THEREFORE ORDERED that the motion, Dkt. 95, is GRANTED. Mr. de la Vina is permitted to WITHDRAW as counsel for Defendant, and Novert A. Morales, Attorney at Law, 1007 E. 7th St., Austin, TX 78702, 512-474-1499, email: nam@moraleslawoffice.com, is appointed to represent Defendant in the above-captioned case. The Court FURTHER ORDERS that Mr. de la Vina meet with Mr. Morales at the earliest opportunity to give Mr. Morales a copy of the file and bring him up to date with regard to the representation of Defendant. Thereafter, Mr. de la Vina has no further responsibilities in this case.

SIGNED January 17, 2023.



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DUSTIN M. HOWELL  
UNITED STATES MAGISTRATE JUDGE